



## NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g., the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume I/A, paragraph 296).

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Section 205(b)).

**The amendments must be made in the language in which the international application is to be published.**

#### What documents must/may accompany the amendments?

**Letter (Section 205(b)):**

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

**The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.**

## NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

**The following examples illustrate the manner in which amendments must be explained in the accompanying letter:**

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claim(s):]  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### "Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

**It must be in the language in which the international application is to be published.**

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

### Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will, except in certain cases where the International Preliminary Examining Authority did not act as International Searching Authority and where it has notified the International Bureau under Rule 66.1(b)(b), be considered to be a written opinion of the International Preliminary Examining Authority. If a demand is made, the applicant may submit to the International Preliminary Examining Authority a reply to the written opinion together, where appropriate, with amendments before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later (Rule 43bis.1(c)).

### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide*, Volume II.

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 58086-264271	<b>FOR FURTHER ACTION</b> see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2008/012149	International filing date (day/month/year) 24/10/2008	(Earliest) Priority Date (day/month/year) 26/10/2007
Applicant  THE REGENTS OF THE UNIVERSITY OF CALIFORNIA		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 8 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the language, the international search was carried out on the basis of:
  - the international application in the language in which it was filed
  - a translation of the international application into \_\_\_\_\_, which is the language or a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
- b.  This international search report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43.6(b)(a)).
- c.  With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.
- 2.  Certain claims were found unsearchable (See Box No. II)
- 3.  Unity of invention is lacking (see Box No III)
- 4. With regard to the title,
  - the text is approved as submitted by the applicant
  - the text has been established by this Authority to read as follows:

DIARYLHYDANTOIN COMPOUNDS AS ANDROGEN RECEPTOR MODULATORS

*Comments on Abstract*

2 MONTH REMINDER \_\_\_\_\_  
 1 MONTH REMINDER \_\_\_\_\_ 5/13/09  
 2 WEEK REMINDER \_\_\_\_\_  
 3 DAY REMINDER \_\_\_\_\_ 5/20/09  
 ACTION DUE AND DATE 5/29/09

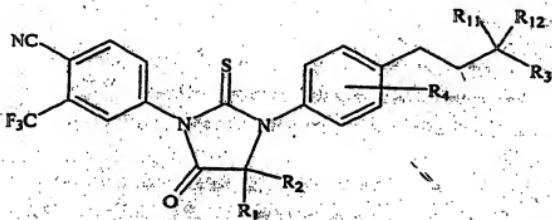
*SNJ*

5. With regard to the abstract,

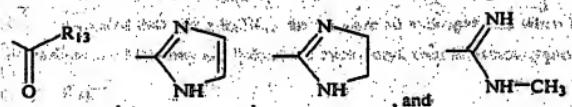
- the text is approved as submitted by the applicant
- the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority
- 6. With regard to the drawings,
  - a. the figure of the drawings to be published with the abstract is Figure No. \_\_\_\_\_
  - as suggested by the applicant
  - as selected by this Authority, because the applicant failed to suggest a figure
  - as selected by this Authority, because this figure better characterizes the invention
- b.  none of the figures is to be published with the abstract

## Box No. IV Text of the abstract (Continuation of Item 5 of the first sheet)

The present invention relates to diarylhantoin compounds and methods for synthesizing them and using them in the treatment of hormone refractory prostate cancer.



wherein R<sub>3</sub> is selected from the group consisting of hydrogen, cyano, formyl,



wherein R<sub>1</sub> and R<sub>2</sub> together comprise eight or fewer carbon atoms and are selected from the group consisting of alkyl, substituted alkyl, and, together with the carbon to which they are linked, a cycloalkyl or substituted cycloalkyl group,

A. CLASSIFICATION OF SUBJECT MATTER  
INV. C07D233/86 A61P35/00 A61K31/4166

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
C07D A61P A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages.	Relevant to claim No.
X	WO 2006/124118 A (UNIV CALIFORNIA [US]; SAWYERS CHARLES L [US]; JUNG MICHAEL E [US]; CHE) 23 November 2006 (2006-11-23)  claims 1,18,19,23; examples RD130, RD131, RD169, RD170 -----	1,4-7, 11-13, 22-32, 34-39
P,X	WO 2007/127010 A (UNIV CALIFORNIA [US]; JUNG MICHAEL E [US]; YOO DONGWON [US]; SAWYERS C) 8 November 2007 (2007-11-08)  claims 1,8-10,17; figure 24a; compounds NC57, NC56, NC48, NC106 ----- -/-	1,4-7, 11-13, 22-32, 34-39

 Further documents are listed in the continuation of Box C. See patent family annex.

## \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*Z\* document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the International search report

6 February 2009

29/04/2009

Name and mailing address of the ISA/  
European Patent Office, P.B. 5618 Patentlaan 2  
NL-2200 HV Rijswijk  
Tel. (+31-70) 340-2040,  
Fax: (+31-70) 340-3016

Authorized officer

Lange, Tim

## C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	EP 1 790 640 A (CHUGAI PHARMACEUTICAL CO LTD [JP]) 30 May 2007 (2007-05-30)  claim 1 -----	1, 4-7, 11-13, 22-32, 34-39
Y	WO 97/00071 A (BIOPHYSICA FOUNDATION [US]; SOVAK MILOS [US]; BRESSI JEROME C [US]; DO) 3 January 1997 (1997-01-03)  claim 1 -----	1, 4-7, 11-13, 22-32, 34-39

**INTERNATIONAL SEARCH REPORT**International application No.  
PCT/US2008/012149**Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
  
  
  
  
  
  
2.  Claims Nos.: because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
  
  
  
  
  
  
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

**Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)**

This International Searching Authority found multiple Inventions in this International application, as follows:

see additional sheet

1.  As all required additional search fees were timely paid by the applicant, this international search report covers allsearchable claims.
  
2.  As all searchable claims could be searched without effort justifying an additional fees, this Authority did not invite payment of additional fees.
  
3.  As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
  
  
  
  
  
4.  No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

claims 1(in part),4-7(in part),11-13(in part)22-32(in part)34-39(in part)

**Remark on Protest**

- The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: Claims 1 (in part), 4-7 (in part), 11-13 (in part), 22-32 (in part), 34-39 (in part)

1-[(4-Cyano-3-trifluoromethyl-phenyl)]-3-(4-substituted propyl-phenyl)-5-oxo-2-thioxo-imidazolidine derivatives, with R3 being hydrogen in the general formula of claim 1, pharmaceutical compositions and the medical use of such compounds for the treatment of proliferative diseases such as cancer.

2. claims: Claims 1-8 (in part), 11-13 (in part), 14-15, 20-21, 22-32 (in part), 34-39 (in part)

1-[(4-Cyano-3-trifluoromethyl-phenyl)]-3-(4-substituted propyl-phenyl)-5-oxo-2-thioxo-imidazolidine derivatives, with R3 being cyano in the general formula of claim 1, pharmaceutical compositions and the medical use of such compounds for the treatment of proliferative diseases such as cancer.

3. claims: Claims 1-8 (in part), 11-13 (in part), 18, 22-32 (in part), 34-39 (in part)

1-[(4-Cyano-3-trifluoromethyl-phenyl)]-3-(4-substituted propyl-phenyl)-5-oxo-2-thioxo-imidazolidine derivatives, with R3 being formyl in the general formula of claim 1, pharmaceutical compositions and the medical use of such compounds for the treatment of proliferative diseases such as cancer.

4. claims: Claims 1-8 (in part), 9 (in part), 11-13 (in part), 16, 19, 22-39 (in part)

1-[(4-Cyano-3-trifluoromethyl-phenyl)]-3-(4-substituted propyl-phenyl)-5-oxo-2-thioxo-imidazolidine derivatives, with R3 being carbonyl-R13 in the general formula of claim 1, a process to make these compounds, pharmaceutical compositions and the medical use of such compounds for the treatment of proliferative diseases such as cancer.

5. claims: Claims 1-7 (in part), 10, 11-13 (in part), 17, 22-39 (in part)

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

1-[(4-Cyano-3-trifluoromethyl-phenyl)]- 3-(4-substituted propyl-phenyl)-5-oxo-2-thioxo-imidazolidine derivatives, with R3 being Imidazol-2-yl or Imidazolin-2-yl in the general formula of claim 1, a process to make these compounds and pharmaceutical compositions and the medical use of such compounds for the treatment of proliferative diseases such as cancer.

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6. claims: Claims 1-7 (in part), 9 (in part), 11-13 (in part), 16 (in part), 22-32 (in part), 34-39 (in part)

1-[(4-Cyano-3-trifluoromethyl-phenyl)]- 3-(4-substituted propyl-phenyl)-5-oxo-2-thioxo-imidazolidine derivatives, with R3 being Methylamidinyl in the general formula of claim 1, pharmaceutical compositions and the medical use of such compounds for the treatment of proliferative diseases such as cancer.

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## Information on patent family members

International application No  
PCT/US2008/012149

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
WO 2006124118	A	23-11-2006	AU CA EP JP KR	2006248109 A1 2608436 A1 1893196 A1 2008540523 T 20080014039 A		23-11-2006 23-11-2006 05-03-2008 20-11-2008 13-02-2008
WO 2007127010	A	08-11-2007	AU CA EP KR US	2007245022 A1 2648139 A1 2013187 A2 20090009215 A 2007254933 A1		08-11-2007 08-11-2007 14-01-2009 22-01-2009 01-11-2007
EP 1790640	A	30-05-2007	AU CA CN WO KR	2005280908 A1 2579886 A1 101048381 A 2006028226 A1 20070106969 A		16-03-2006 16-03-2006 03-10-2007 16-03-2006 06-11-2007
WO 9700071	A	03-01-1997	AU AU CA EP JP US	712609 B2 6332996 A 2225484 A1 0854716 A1 10510845 T 5656651 A		11-11-1999 15-01-1997 03-01-1997 29-07-1998 20-10-1998 12-08-1997